

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69-A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403

and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N #SAC-2006-3351-1ID

November 9, 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

BLUEWATER RESORT AND MARINA, LLC
P.O. BOX 6899
HILTON HEAD ISLAND, SOUTH CAROLINA 29928

for a permit to make additions to and change the use of an existing commercial dock in

SKULL CREEK

located at the terminus of Bluewater Marina Drive, off of Squire Pope Road on Hilton Head Island in Beaufort County, South Carolina.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 11 DECEMBER 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the modification and changed use of an existing commercial docking facility. In detail, the work consists of reestablishing a 400' long x 8' wide floating dock, of which a portion was dislodged during a storm event and presently missing. Landward of the 400' long dock will be the installation of a new 8' wide x 250' long floating dock. At the pierhead will be the construction of 26' x 20' deck area of which 16' x 20' will be covered by a roof. Attached to the pierhead will also be the installation of an 8' x 39' fixed dock. The existing 10' wide x 271' long walkway is also proposed to be rebuilt. The original use of this facility was for commercial shrimp boat docking. The new purpose of the facility will be for the recreational use of the owners of the adjacent Bluewater Resort timeshare units, presently under construction. The applicant has advised that the new facility is designed to accommodate approximately 35 boats up to approximately 28' in length. No long term docking, fueling or pumpout services are planned for the docking facility.

November 9, 2006

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69-A Hagood Avenue
Charleston, South Carolina 29403**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.18 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have.

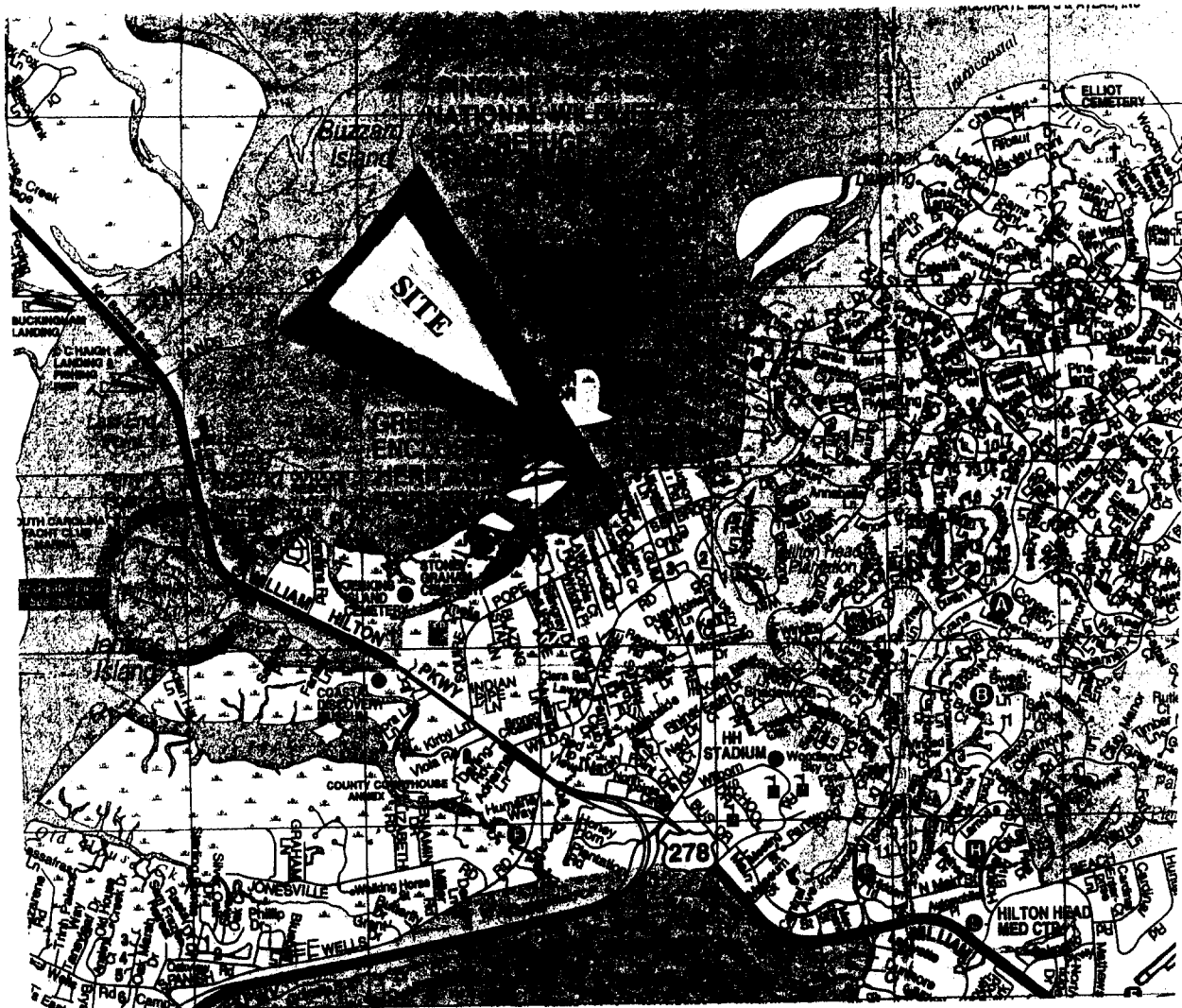
on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Mr. Dean Herndon at 843-329-8044 or toll free at 866-320-8187.



Directions: Take US 21(s) to SC 280/Parris Island Gateway and turn right. Follow SC 280 until it intersects with SC 170/Robert Smalls Prkwy and turn right. Follow SC 170 until you reach the Hilton Head/Bluffton/SC278 exit. Merge onto SC 278 and follow until you come to Squire Pope Road and turn left. Follow Squire Pope Road until you come to Bluewater Marine Dr and turn left. Follow Bluewater Marina Drive to the Site.

APPLICANT: Bluewater Resort
& Marina LLC
ACTIVITY: Private Marina

LOCATION: 34 Bluewater Marina
Hilton Head Island

COUNTY: Beaufort

DATE: 10/18/06

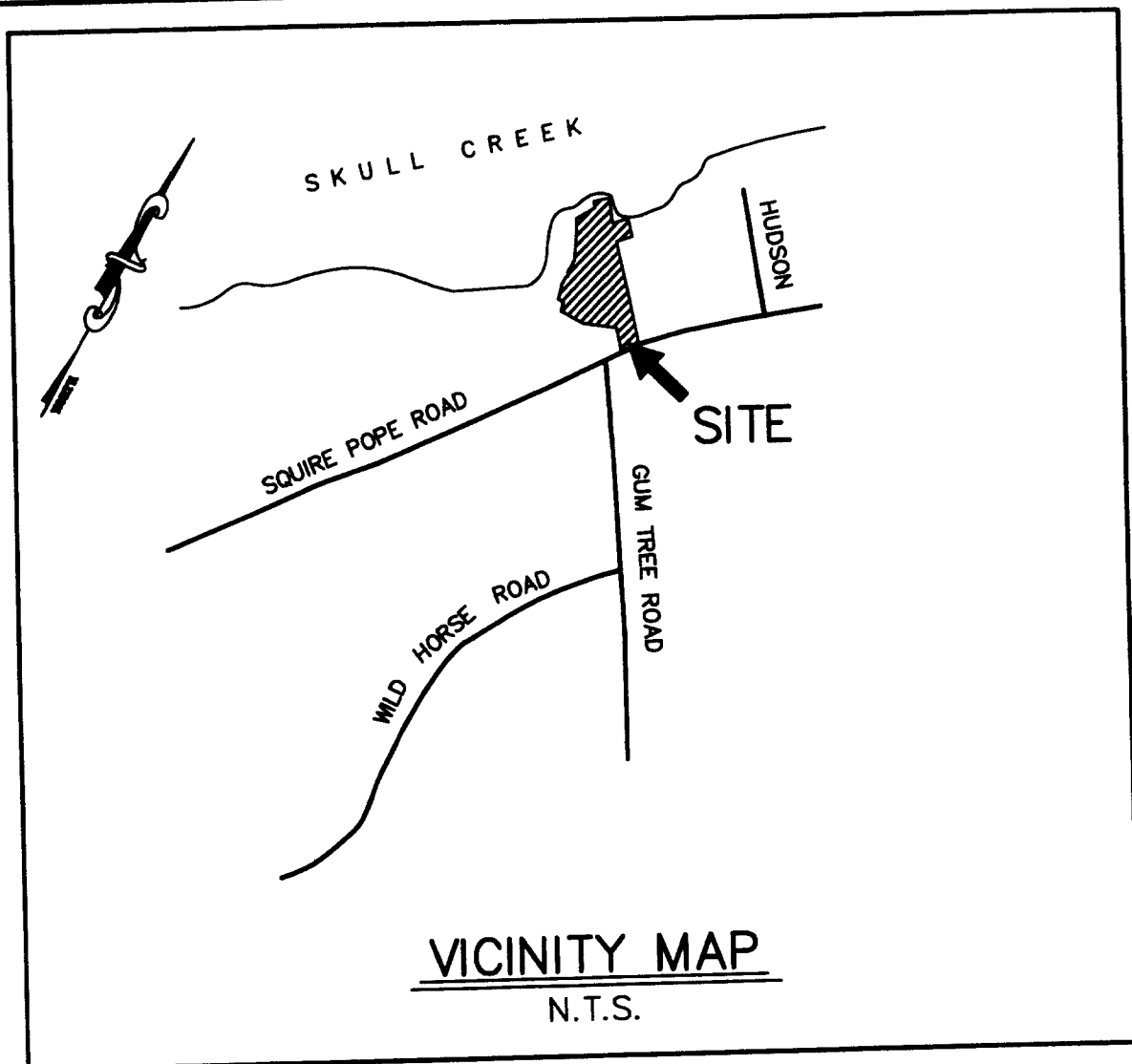
ADJACENT PROPERTY OWNERS:

1. Katherine Sauls

2. Barnwell Family
Assoc. LLC

P/N # 2006-3351-110

Sh. 1 of 6

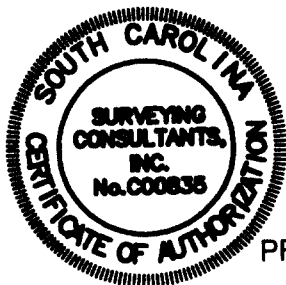


P/N # _____
 TAX PARCEL I.D. No. R511-003-000-0005-0000
 ADDRESS: #34 BLUEWATER MARINA DRIVE

VICINITY MAP
7.345 Acre PARCEL
BLUEWATER MARINA

A PORTION OF
COTTON HOPE PLANTATION
 HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR: **SPINNAKER DEVELOPMENT CORP.**



SURVEYING CONSULTANTS

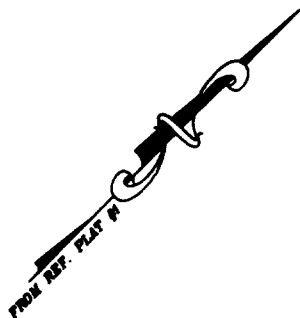
17 Sherington Drive, Suite C, Bluffton, SC 29910
 Telephone: (843) 815-3304 FAX: (843) 815-3306
 COPYRIGHT BY SURVEYING CONSULTANTS

JOB NO. 89296H
 SCALE : N.T.S.
 SHEET **2** of **6**
 CAD: MAE

APPLICATION BY: Spinnaker Development Corp. COUNTY: BEAUFORT
 ACTIVITY: PRIVATE RECREATIONAL DOCK STATE: SOUTH CAROLINA
 DATE: 01/30/2006 SCALE: N/A

ADJACENT PROPERTY OWNERS:
 A #325 Squire Pope Road
 Katherine C. Sauls
 10 Croaker St.
 Bluffton, SC 29910

B # 49 Alligator Lane
 Barnwell Family Associates, LLC
 % Thomas C. Barnwell, P.O. Box 21057
 Hilton Head Island, SC 29925



SKULL CREEK

EXISTING
PILINGS
(TYP.)

EXISTING
DOCK

EXISTING
BOARDWALK

(B)
N/F BARNWELL FAMILY
ASSOCIATES, LLC

(A)
N/F KATHERINE C.
SAULS

7.345 ACRES
(INCLUDES MARSH AREA "A",
MARSH AREA "B" &
PREVIOUSLY PERMITTED AREA)

P/N #:

TAX PARCEL I.D. No. R511-003-000-0005-0000

ADDRESS: #34 BLUEWATER MARINA DRIVE

EXISTING DOCK PLAN

SCALE : 1" = 300'

DOCK PERMIT

SURVEY OF

7.345 Acre PARCEL

BLUEWATER MARINA

A PORTION OF

COTTON HOPE PLANTATION

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR: SPINNAKER DEVELOPMENT CORP.

REFERENCE PLATS

1) BLOCK R

PORT ROYAL PLANTATION

DATED: 09/09/74

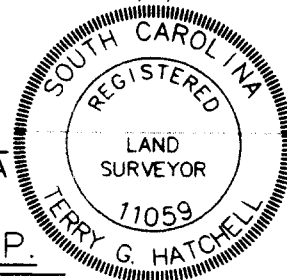
BY: E.H. FREIESLEBEN, S.C.P.E. & L.S. No. 46249

2) THREE PARCELS OF LAND TOTALING 6.035 ACRES

BY: H.R. JOHNSON, S.C.R.L.S. No. 2077

DATED: 10/28/71

RECORDED: P.B. 19, PG. 89, 11/22/71



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JOB NO. 89296H

SCALE : As Shown

SHEET 3 of 6

CAD: MAE

APPLICATION BY: Spinnaker Development Corp. COUNTY: BEAUFORT

ACTIVITY: PRIVATE RECREATIONAL DOCK

DATE: 10/27/2006

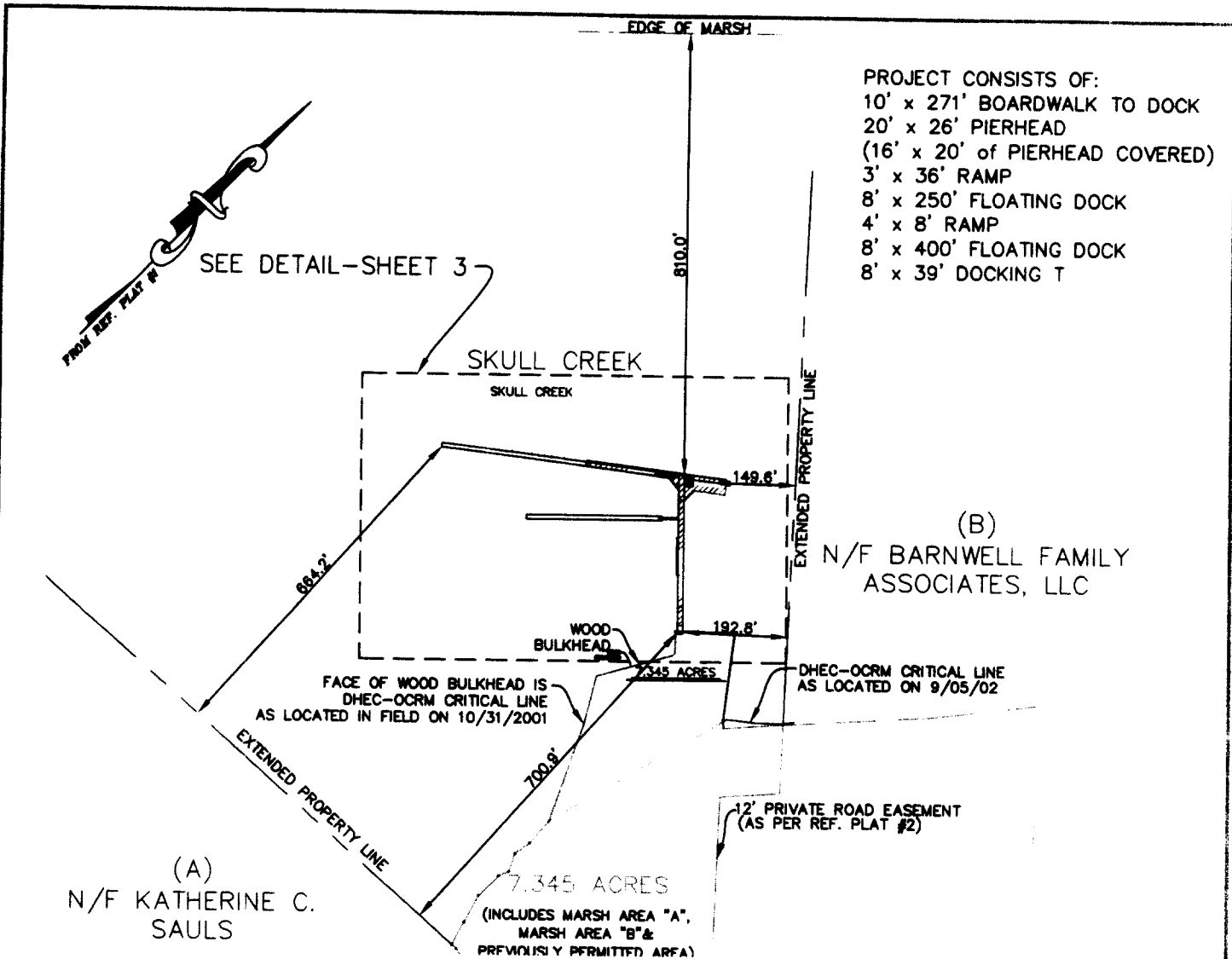
STATE: SOUTH CAROLINA

SCALE: As Shown

ADJACENT PROPERTY OWNERS:

A #325 Squire Pope Road
Katherine C. Sauls
10 Croaker St.
Bluffton, SC 29910

B # 49 Alligator Lane
Barnwell Family Associates, LLC
% Thomas C. Barnwell, P.O. Box 21057
Hilton Head Island, SC 29925



PROJECT CONSISTS OF:
 10' x 271' BOARDWALK TO DOCK
 20' x 26' PIERHEAD
 (16' x 20' of PIERHEAD COVERED)
 3' x 36' RAMP
 8' x 250' FLOATING DOCK
 4' x 8' RAMP
 8' x 400' FLOATING DOCK
 8' x 39' DOCKING T

(B)
 N/F BARNWELL FAMILY
 ASSOCIATES, LLC

(A)
 N/F KATHERINE C.
 SAULS

P/N #: _____
 TAX PARCEL I.D. No. R511-003-000-0005-0000
 ADDRESS: #34 BLUEWATER MARINA DRIVE

SCALE: 1" = 300'
 DOCK PERMIT
 SURVEY OF

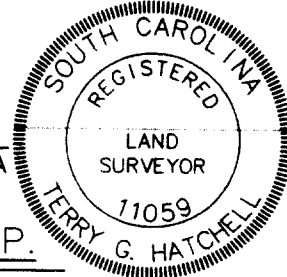
7.345 Acre PARCEL
 BLUEWATER MARINA

A PORTION OF
 COTTON HOPE PLANTATION
 HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR: SPINNAKER DEVELOPMENT CORP.

REFERENCE PLATS

- 1) BLOCK R
 PORT ROYAL PLANTATION
 DATED: 09/09/74
 BY: E.H. FRIEDLEBEN, S.C.P.E. & L.S. No. 46249
- 2) THREE PARCELS OF LAND TOTALING 6.035 ACRES
 BY: H.R. JOHNSON, S.C.R.L.S. No. 2077
 DATED: 10/28/71
 RECORDED: P.B. 19, PG. 89, 11/22/71



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JOB NO. 89296H
 SCALE: As Shown
 SHEET 4 of 6
 CAD: MAE

APPLICATION BY: Spinnaker Development Corp. COUNTY: BEAUFORT

ACTIVITY: PRIVATE RECREATIONAL DOCK

DATE: 10/27/2006

STATE: SOUTH CAROLINA

SCALE: As Shown

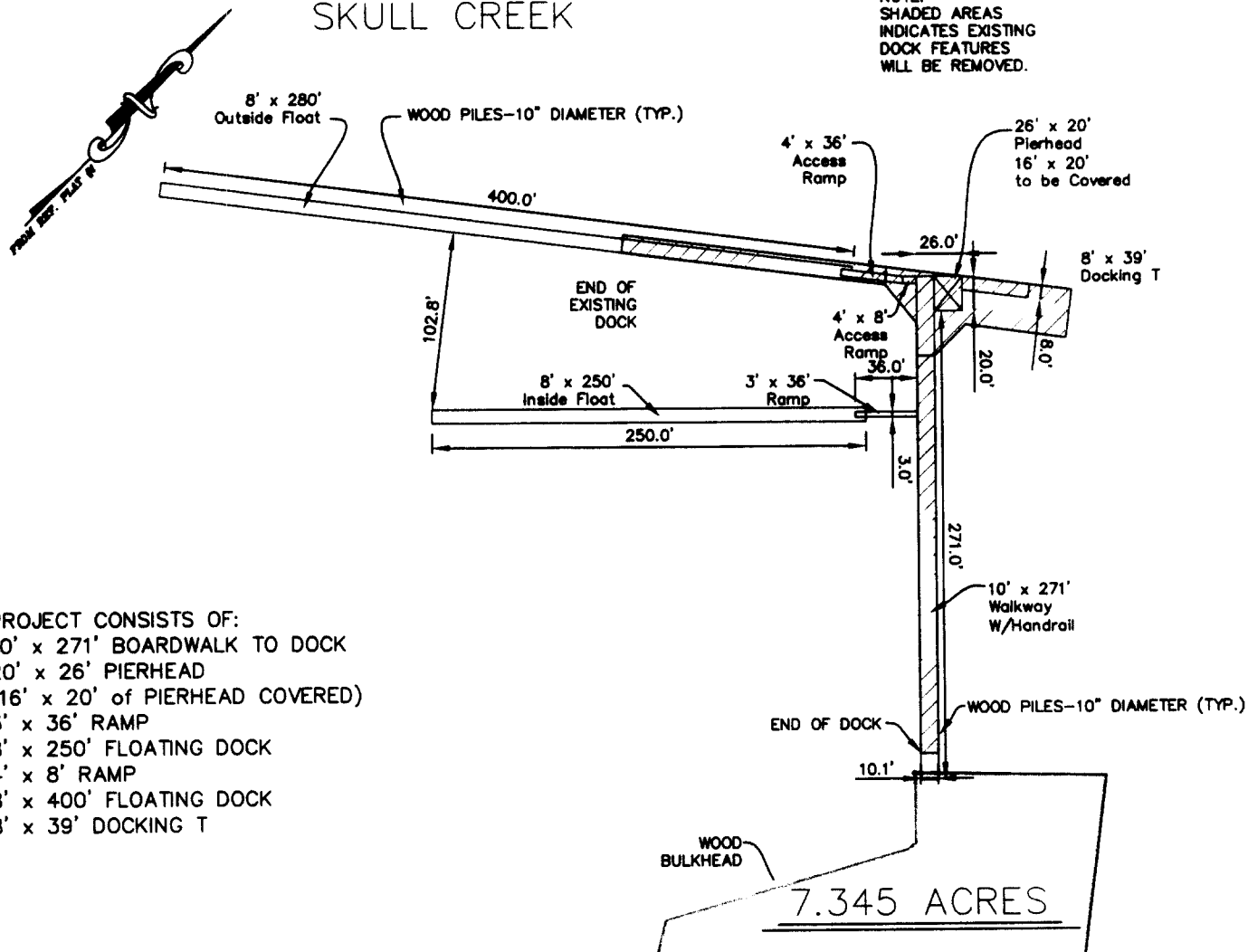
ADJACENT PROPERTY OWNERS:

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 Katherine C. Sauls
 10 Croaker St.
 Bluffton, SC 29910

B # 49 Alligator Lane
 Barnwell Family Associates, LLC
 % Thomas C. Barnwell, P.O. Box 21057
 Hilton Head Island, SC 29925

SKULL CREEK

NOTE:
SHADED AREAS
INDICATES EXISTING
DOCK FEATURES
WILL BE REMOVED.



PROJECT CONSISTS OF:
10' x 271' BOARDWALK TO DOCK
20' x 26' PIERHEAD
(16' x 20' of PIERHEAD COVERED)
3' x 36' RAMP
8' x 250' FLOATING DOCK
4' x 8' RAMP
8' x 400' FLOATING DOCK
8' x 39' DOCKING T

DETAIL

SCALE : 1" = 100'

DOCK PERMIT
SURVEY OF

7.345 Acre PARCEL

BLUEWATER MARINA

A PORTION OF

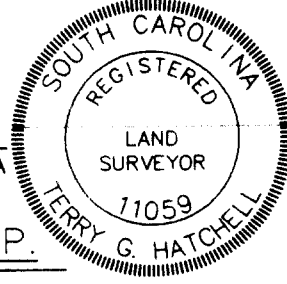
COTTON HOPE PLANTATION

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR: SPINNAKER DEVELOPMENT CORP.

REFERENCE PLATS

- 1) BLOCK R
PORT ROYAL PLANTATION
DATED: 09/09/74
BY: E.H. FREIESLEBEN, S.C.P.E. & L.S. No. 46249
- 2) THREE PARCELS OF LAND TOTALING 6.035 ACRES
BY: H.R. JOHNSON, S.C.R.L.S. No. 2077
DATED: 10/28/71
RECORDED: P.B. 19, PG. 89; 11/22/71



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JOB NO. 89296H
SCALE : As Shown
SHEET 5 of 6
CAD: MAF

APPLICATION BY: Spinnaker Development Corp. COUNTY: BEAUFORT

ADJACENT PROPERTY OWNERS:

ACTIVITY: PRIVATE RECREATIONAL DOCK

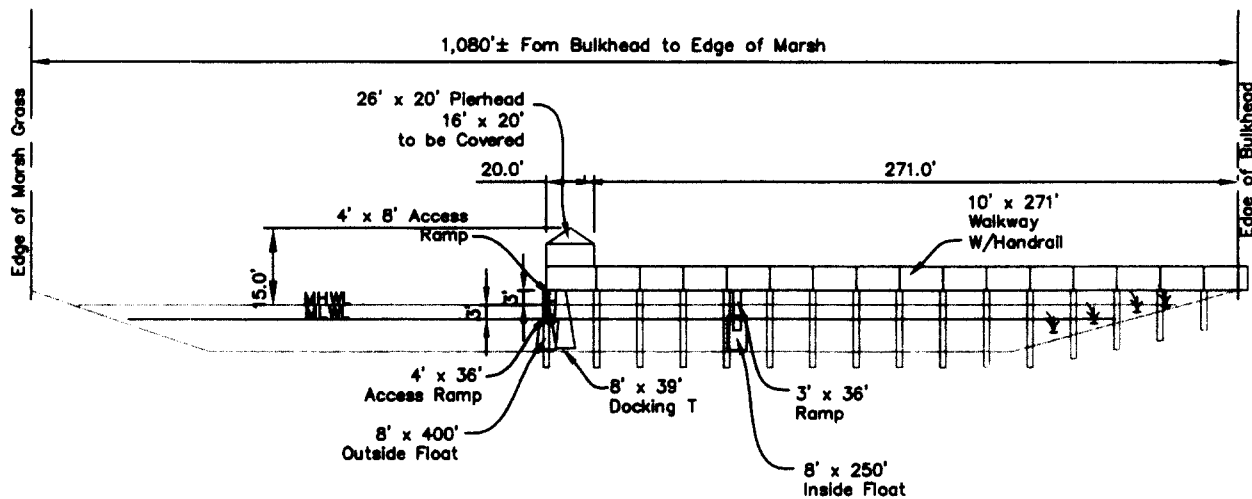
STATE: SOUTH CAROLINA

DATE: 10/27/2006

SCALE: As Shown

A #325 Squire Pope Road
Katherine C. Sauls
10 Croaker St.
Bluffton, SC 29910

B # 49 Alligator Lane
Barnwell Family Associates, LLC
% Thomas C. Barnwell, P.O. Box 21057
Hilton Head Island, SC 29925



ELEVATION

SCALE : N.T.S.

DOCK ELEVATION

7.345 Acre PARCEL

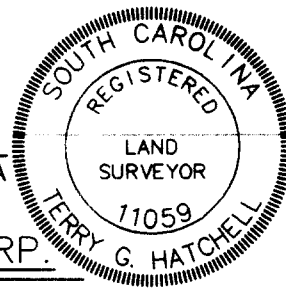
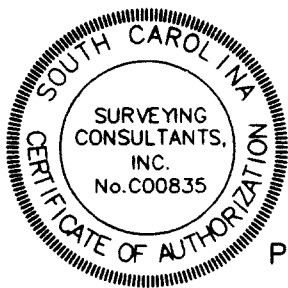
BLUEWATER MARINA

A PORTION OF

COTTON HOPE PLANTATION

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR: SPINNAKER DEVELOPMENT CORP.



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JOB NO. 89296H

SCALE : N.T.S.

SHEET **6** of **6**

CAD: MAE

APPLICATION BY: Spinnaker Development Corporation
ACTIVITY: Private Recreational Dock

LOCATION: #49 Bluewater Drive
P.O. Box 6899
Hilton Head, S.C. 29938

ADJACENT PROPERTY OWNERS:

1. A Katherine C. Sauls
2. B Barnwell Family Associates, LLC

P/N# _____

DATE: October 27, 2006
COUNTY: Beaufort